

Summary of the Minutes
August 11, 2014
City of Binghamton Planning Commission
City Council Chambers, City Hall

CALL TO ORDER

Chairman Corcoran called the meeting to order at 5:16 pm.

ROLL CALL

Present: Corcoran, Berling, Bowers, Chanecka, Emilio, Grogan, Pompei,

Absent: O'Loughlin, Z. Staff

Vacant: 0

Staff Present: T. Martinez, B. Seachrist

PUBLIC HEARINGS

198 ROBINSON STREET; 38 MOELLER STREET (2014-22)

Mike Major appeared to provide information on the proposed project to demolish an existing gasoline station/convenience market and redevelop the site with a new 2,592 square foot gasoline station/convenience market located in the C-4 Neighborhood Commercial District and the R-2 One and Two Family Residential District.

Chairman Corcoran opened the public hearing. No one spoke in favor of, or in opposition to, the proposal. No letters were received.

Motion to approve a Department of Environmental Conservation State Environment Quality Review Act Negative Declaration in conjunction with the requested review.

Moved by Emilio, seconded by Bowers

Motion carried (7-0-0)

Ayes: Corcoran, Berling, Bowers, Chanecka, Emilio, Grogan, Pompei

Nays: None

Absent: O'Loughlin, Z. Staff

Recused: None

Motion to approve the site plan and grant the Special Use Permit subject to the following conditions:

- That the hours of operation be 7:00am-11:00pm

- That the applicant submit a revised landscape plan for final approval, including a revision showing the planting of shrubs, in addition to perennial rye grass, in the 5' landscape buffers
- Prior to the issuance of a demolition permit, 198 Robinson Street (Tax ID 145.77-3-16) shall be merged into 38 Moeller Street ((Tax 145.77-3-17).
- Prior to the submittal of a building permit, a revised site plan shall be submitted to the Planning Department for review and approval which illustrates the location of a privacy fence along the south and east property lines subject to the provisions of Zoning Code Section 410-14. The plans shall include specifications and drawings of the height and materials proposed for the privacy fence.
- Prior to the submittal of a building permit, a revised site plan shall be submitted to the Planning Department for review and approval which identifies proposed tree species to be selected from the list of recommended large and small trees on the Shade Tree Commission page of the City website (see Trees Mean Business). The proposed tree on Robinson Street shall be a small tree from list be planted due to the location of overhead utilities lines. All other proposed trees on the site plan shall be any large tree species identified on list.
- Prior to the submittal of a building permit, a revised site plan shall be submitted to the Planning Department for review and approval which illustrates location, height (including top and bottom elevation measurements), and building materials of all proposed retaining walls. All exposed portions of proposed retaining walls shall have an architectural finish, such as split faced block or poured in place color integrated concrete.
- A Final Urban Runoff Reduction Plan shall be submitted with the building permit application for this project. The Final URRP shall be review and approved by the Stormwater Officer prior to the issuance of the building permit. The plan shall address the conflict on the submitted site plan that show the proposed dumpster located over the proposed drywell.
- The property owner shall be responsible for collecting litter and debris from site and adjoining rights-of-way at least once a day.
- Prior to the submittal of a building permit, the applicant shall submit a trash management plan for review and approval by the Planning Department. The plan shall address the conflict on the submitted site plan that show the proposed dumpster located over the proposed drywell. The plan shall include provisions for the storage of trash and recycling and a pick up schedule by a private trash management company. The building plan sets shall include specifications for the proposed dumpster enclosure that meeting the requirements of Section 410.56 of the Binghamton Zoning Code.
- A final lighting plan shall be submitted for review and approval by the Planning Department. The lighting plan shall meet the provisions of Section 410.24J of the Binghamton Zoning Code.

Moved by Emilio, seconded by Pompei

Motion carried (7-0-0)

Ayes: Corcoran, Berling, Bowers, Chanecka, Emilio, Grogan, Pompei

Nays: None

Absent: O'Loughlin, Z. Staff

Recused: None

120 HAWLEY STREET (2014-28)

Fouad Dietz appeared to provide information on the proposed project to construct the Southern Tier High Technology Incubator, a two-story, 25,000ft² mixed-use facility for light industrial, research and development industrial, medium industrial and office use.

Chairman Corcoran opened the public hearing. Deborah Hogan spoke in favor of the proposal, but raised concerns about the current condition of the site. No one spoke in opposition to the proposal. No letters were received.

Robert Pompei, Nicholas Corcoran and Juliet Berling stated, for the record, that they are affiliated with Binghamton University but stand to gain no personal financial benefit from the approval of the proposal, and, therefore, would not recuse themselves.

Motion to approve the site plan and grant the Special Use Permit subject to the following conditions:

- That a final SWPPP be submitted to, and approved by, the City of Binghamton
- That the site plan be revised to show the required 26 bicycle parking spaces and submitted to the Planning Department for approval
- That a final lighting plan be submitted to the Planning Department for approval

Moved by Emilio, seconded by Chanecka

Motion carried (7-0-0)

Ayes: Corcoran, Berling, Bowers, Chanecka, Emilio, Grogan, Pompei

Nays: None

Absent: O'Loughlin, Z. Staff

162 WATER STREET (2014-35)

Sarah Campbell, Esq., Mark Parker and Tom Ellis appeared to provide information on the proposed project to construct an ancillary parking lot containing 15 parking spaces.

Chairman Corcoran opened the public hearing. Mike Weisel and Philip Artz, Esq., representing Galaxy Brewing Company, expressed concerns regarding unimpeded access to the shared alleyway. No letters were received.

Motion to approve a Department of Environmental Conservation State Environment Quality Review Act Negative Declaration in conjunction with the requested review.

Moved by Emilio, seconded by Chanecka

Motion carried (7-0-0)

Ayes: Corcoran, Berling, Bowers, Chanecka, Emilio, Grogan, Pompei

Nays: None

Absent: O'Loughlin, Z. Staff

Recused: None

Motion to approve the site plan and grant the Special Use Permit subject to the following conditions:

- That all issues regarding access and easements be resolved by the attorneys of the parties involved and that the resolution be presented to City of Binghamton Corporation Counsel for approval.
- That the applicant submit written details on the proposed technique(s) to be used to protect the existing historic masonry from the installation of the asphalt surface of the parking lot;
- That the planting schedule shall be revised to include trees of 2.5-3" caliper and 2 gallon plantings;
- That the site plan shall be modified to remove the pointed edge of the southern interior landscaping area and replaced with a rounded corner to match the eastern corner;
- That the site plan shall be modified to show mounded landscaped buffers along the Water Street sidewalk to increase the visual break between the sidewalk and the parking lot;
- That the site plan shall be modified to show the installation of appropriate curbing around the landscaped areas, both interior and perimeter;
- That the site plan shall be modified to show the installation of black metal bollards and chain in the landscape buffers abutting Water Street, and that the bollards shall be of a complementary design to the lamppost proposed as part of the project;
- That the site plan may be modified to show the installation, along the rear property line, of either the fencing as proposed or black metal bollards and chain to match the bollards and chain to be installed in the front landscape buffers; and
- That the benches as shown in the proposed plans be removed.

Moved by Emilio, seconded by Pompei

Motion carried (7-0-0)

Ayes: Corcoran, Berling, Bowers, Chanecka, Emilio, Grogan, Pompei

Nays: None

Absent: O'Loughlin, Z. Staff

Recused: None

1 HAWLEY STREET (2014-36)

Sarah Campbell, Esq. appeared to provide information on a proposal to establish a retail furniture store within an existing 3-story, 32,252 square foot, commercial building.

Chairman Corcoran opened the public hearing. No one spoke in favor of, or in opposition to,

the proposal. No letters were received.

Motion to approve a Department of Environmental Conservation State Environment Quality Review Act Negative Declaration in conjunction with the requested review.

Moved by Emilio, seconded by Chanecka

Motion carried (7-0-0)

Ayes: Corcoran, Berling, Bowers, Chanecka, Emilio, Grogan, Pompei

Nays: None

Absent: O'Loughlin, Z. Staff

Recused: None

Motion to approve the site plan and grant the Special Use Permit subject to the following conditions:

- That the proposed exterior EIFS wall on the ground floor of the building be replaced with a more durable material that is consistent with the upper-story EIFS walls in appearance.

Moved by Emilio, seconded by Chanecka

Motion carried (7-0-0)

Ayes: Corcoran, Berling, Bowers, Chanecka, Emilio, Grogan, Pompei

Nays: None

Absent: O'Loughlin, Z. Staff

Recused: None

DELIBERATIONS

247 ROBINSON STREET (2014-30)

Motion to declare the proposed action a Type II action under SEQRA

Moved by Pompei, seconded by Bowers

Motion carried (7-0-0)

Ayes: Corcoran, Berling, Bowers, Chanecka, Emilio, Grogan, Pompei

Nays: None

Absent: O'Loughlin, Z. Staff

Motion to approve the site plan subject to the following conditions:

- The property owner shall be responsible for collecting litter and debris from site and adjoining rights-of-way at least once a day.

- The stripping for the accessible parking space shall be relocated just that it north side of the proposed parking.
- The applicant shall submit a trash management plan for review and approval by the Planning Department. The plan shall include provisions for the storage of trash and recycling and a pick up schedule by a private trash management company. The building plan sets shall include specifications for the proposed dumpster enclosure that meeting the requirements of Section 410.56 of the Binghamton Zoning Code.
- A final lighting plan shall be submitted for review and approval by the Planning Department. The lighting plan shall meet the provisions of Section 410.24J of the Binghamton Zoning Code.
- The hours of operation shall be between 7:00am and 10:00pm.

Moved by Pompei, seconded by Bowers

Motion carried (7-0-0)

Ayes: Corcoran, Berling, Bowers, Chanecka, Emilio, Grogan, Pompei

Nays: None

Absent: O'Loughlin, Z. Staff

Recused: None

SEQR DETERMINATION

351 FRONT STREET (2014-39)

John Manculich appeared to provide information on a proposal to construct of a 3,000ft² addition to an existing building for the storage of heavy vehicles and equipment.

Chairman Corcoran opened the public hearing. No one spoke in favor of, or in opposition to, the proposal. No letters were received.

Motion to declare the proposed action Unlisted action for State Environmental Quality Review.

Moved by Emilio, seconded by Pompei

Motion carried (7-0-0)

Ayes: Corcoran, Berling, Bowers, Chanecka, Emilio, Grogan, Pompei

Nays: None

Absent: O'Loughlin, Z. Staff

Recused: None

Motion to declare the Planning Commission be Lead Agency under the State Environmental Quality Review Act.

Moved by Emilio, seconded by Pompei

Motion carried (7-0-0)

Ayes: Corcoran, Berling, Bowers, Chanecka, Emilio, Grogan, Pompei

Nays: None

Absent: O'Loughlin, Z. Staff

Recused: None

Motion to set a public hearing at the regularly scheduled September 8th meeting at 5:20pm.

Moved by Emilio, seconded by Pompei

Motion carried (7-0-0)

Ayes: Corcoran, Berling, Bowers, Chanecka, Emilio, Grogan, Pompei

Nays: None

Absent: O'Loughlin, Z. Staff

Recused: None

OTHER BUSINESS

Jerry Willard appeared to ask for the temporary waiver of the deadline for a previously approved proposal to construct a mixed-use building with ground floor commercial use and upper-story residential units reserved for seniors.

Motion to grant a waiver of the November, 2014 approval deadline for one year

Moved by Bowers, seconded by Pompei

Motion carried (7-0-0)

Ayes: Corcoran, Berling, Bowers, Chanecka, Emilio, Grogan, Pompei

Nays: None

Absent: O'Loughlin, Z. Staff

Recused: None

ADJOURNMENT

Motion to adjourn

Moved by Chanecka seconded by Bowers

Voice vote; none opposed.

Adjourned at 7:22p.m.